

**R E M A R K S**

Claims 1, 51, 54-56, 61-63 are independent.

Claims 1-64 are pending.

**Examiner's request for Information**

The Examiner has requested information regarding "where in the prior applications the features of the present invention are first disclosed" and "which inventor(s) contributed which features claimed in the present invention that were also present in one or more prior application [sic] with different inventors".

Applicants are unsure of the precise extent of information the Examiner has requested. Further, Applicants are unsure under which statutory or regulator provision this request has been made. Accordingly, Applicants request clarification so that Applicants may properly provide what information is required. Alternatively, the information requested is unknown and / or is not readily available to the Applicants.

**Section 102(e) and 103(a) Rejections**

Claims 1 - 64 stand rejected as anticipated by or unpatentable over Logan (U.S. Patent No. 5,721,827), Saxe (U.S. Patent No. 5,636,346) and / or Weinblatt (U.S. Patent No. 5,515,270). Applicants respectfully traverse the Examiner's Section 102 and 103 rejections.

Independent claims 1, 51, 54, and 62 are rejected as anticipated by Logan. Remaining independent claims 55, 56, 61 and 63 are rejected as obvious in light of Logan as modified in light of Officially Noted subject matter.

Each of the independent claims recite "providing an offer" for various things (e.g., "for a benefit" in claim 1, "for a subsidy" in claim 51). Further, each in claim also recites that the offer is provided either *before an item is purchased* (e.g., claims 1, 51) or *before the purchase is consummated* (claims 61, 62)

Logan does not disclose or suggest any offer being provided either before an item is purchased or before the purchase is consummated. In fact none of the references cited by the Examiner disclose or suggest this feature, either alone or in combination. The portion of Logan cited by the Examiner (Col. 26, lines 53 - 59) states only that credit is given to the subscriber for advertising actually given to the subscriber.

This cited portion of Logan does not disclose or suggest that any offer is provided to the customer, much less provided either before an item is purchased or before the purchase is consummated. Further, Logan does not disclose or suggest that the offer is provided

*in response to a received indication* (claim 1, 51, 54 - 56 and 63) (note that the indication varies with different claims)

*in response to a received signal that the customer has clicked a button* (claim 62)

**Official Notice**

From the Official Notice described in the Office Action, Applicants cannot properly determine the extent of the alleged prior art. Accordingly, Applicants cannot precisely describe how the present invention would distinguish over this material since the exact nature of the material is unstated.

Accordingly, Applicants request a reference to more describe the official noted subject matter in more detail. MPEP 2144.03. If instead the subject matter is based on the personal knowledge of the Examiner, Applicants request an affidavit in support thereof. MPEP 2144.03.

### Conclusion

For the foregoing reasons it is submitted that all of the claims are now in condition for allowance and the Examiner's early re-examination and reconsideration are respectfully requested.

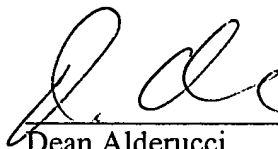
Alternatively, if there remains any question regarding the present application or any of the cited references, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is cordially requested to contact Dean Alderucci at telephone number 203-461-7337 or via electronic mail at Alderucci@WalkerDigital.com.

### Petition for Extension of Time to Respond

Applicants hereby petition for a **three-month** extension of time with which to respond to the Office Action. Please charge \$920.00 for this petition to our Deposit Account No. 50-0271. Please charge any additional fees that may be required for this Response, or credit any overpayment to Deposit Account No. 50-0271.

If an extension of time is required, or if an additional extension of time is required in addition to that requested in a petition for an extension of time, please grant a petition for that extension of time which is required to make this Response timely, and please charge any fee for such extension to Deposit Account No. 50-0271.

Respectfully submitted,



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November 19, 2001  
Date